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such as serious explosions
or mass tort litigation and
is now widely used by
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About Liability Insurance in
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The Bermuda Form excess insurance policy covers liabilities for catastrophes such as serious explosions or mass tort litigation. It is an 'occurrence reported' policy developed in the 1980's by two Bermudian insurance companies, Ace and XL, and it is now widely used by other insurance companies as well.

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This topic is covered in a
number of chapters of
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cultural differences that
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Paper ISBN 13:

9781841134673: eBook ISBN

13: 9781847310736: Published

Year: 2004: Edition: 1:

Subject Area: Insurance Law:

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Liability Insurance in
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por Richard Jacobs Qc

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English procedural rules in
London but, surprisingly,
subject to New York

substantive law. This calls
for a rare mix of knowledge
and experience on the part
of the lawyers involved,
each of whom will also be
required to confront the
many differences between
English and US legal
culture. A related feature
of the Form is that the
awards of arbitrators are
confidential and not subject
to the scrutiny of the
courts. Therefore, while
many lawyers have been
involved in litigating on
the Bermuda Form their
knowledge remains locked
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thus not well understood, a situation not helped by the lack of publications dealing with it. Accordingly, those required to deal with the Form professionally are confronted with a lengthy and complex document, but with very little to aid their understanding of it. This unique and comprehensive work offers a detailed commentary on how the Form is to be construed, its coverage, the substantive law to be applied, the limits of liability, exceptions, and, of course, the procedures to be followed during arbitration proceedings in London. This is a book which

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will prove invaluable to
lawyers, risk managers, and
executives of companies

which purchase insurance on
the Bermuda Form, and
clients, lawyers or
arbitrators involved in
disputes arising therefrom.

'...deserves to be in the
library of anyone who is, or
is contemplating becoming, a
party to a Bermuda Form
arbitration...The authors,
whom we have been associated
with in some cases and
opposed in others, have a
wealth of experience with
the Bermuda Form and the
ability to share that
experience with their
readers in a clear and
engaging style.' From the

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The Bermuda Form excess insurance policy covers liabilities for catastrophes such as serious explosions or mass tort litigation. It is an occurrence reported policy developed in the 1980s by two Bermudian insurance companies, Ace and XL, and it is now widely used by other insurance companies as well. It includes a clause requiring disputes to be arbitrated under English procedural rules in London but, very unusually, subject to New York substantive law. This calls for an unusual mix of knowledge and

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experience on the part of the lawyers involved, each of whom will also be required to confront the many differences between English and US legal culture. A related feature of the Form is that the awards of arbitrators are confidential and not subject to the scrutiny of the courts. Therefore, while many lawyers have been involved in litigating on the Bermuda Form their knowledge remains locked away. Thus, despite its considerable importance, the Bermuda Form is not well understood, a situation not helped by the lack of publications dealing with

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it. Accordingly, those required to deal with the Form professionally are confronted with a lengthy and complex document, but with very little to aid their understanding of it. This unique and comprehensive work offers a detailed commentary on how the Form is to be construed, its coverage, the substantive law to be applied, the limits of liability, exceptions, and, of course, the procedures to be followed during arbitration proceedings in London. This is a book which will prove invaluable to lawyers, risk managers, and executives of companies

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which purchase insurance on
the Bermuda Form, and
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disputes arising therefrom.

This is the third revised edition of what has become and was described by the English Court of Appeal in *C v D* as the "standard work" on Bermuda Form excess insurance policies. The Form, first used in the 1980s, covers liabilities for catastrophes such as serious explosions or mass tort litigation and is now widely used by insurance companies. It is unusual in that it includes a clause requiring disputes to be

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first comprehensive analysis of the Bermuda Form. It is frequently cited in Bermuda Form arbitrations. It was the joint winner in 2012 of British Insurance Law Association Book Prize for the most notable contribution to literature in the field of law as it affects insurance. It offers a detailed commentary on how the Form is to be construed, its coverage, the substantive law to be applied, the limits of liability, exceptions, and, of course, the procedures to be followed during arbitration proceedings in London. This book will prove invaluable to lawyers, risk

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managers, and executives of companies which purchase insurance on the Bermuda Form, and to clients, lawyers or arbitrators involved in disputes arising therefrom.

"Insurance policies written on the Bermuda Form have a distinctly international flavour. The policyholder and the insurers are often based in different countries. The policy includes an express choice of New York law (with certain modifications), and invariably provides for disputes to be settled by arbitration, usually in England, sometimes in

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Providing analysis and interpretation on the construction of the Bermuda Form, this second edition also addresses the dispute resolution process and covers the legal and practical issues which arise in the international arbitration of large and complex disputes under it. The work has been thoroughly revised to take into account the major changes in the governing New York law since the first edition, as well as significant English case law such as AstraZeneca v ACE & XL. This case has had major implications for the

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interpretation of issues such as the recoverability of defence costs, assertion and proof of legal liability. The resulting trend towards brokers and insurers drafting endorsements intended to clarify intent, and the nature and efficacy of these endorsements, are also analysed in this edition. The implications for policyholders and insurers of the ACE Insurance Form 007 are also discussed at length. Providing valuable analysis of disputes involving the Bermuda Form, particularly concerning arbitrations, this work gives access to an otherwise

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closed arena and is an indispensable guide even for experienced practitioners in this field.

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This book offers an

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The innovative approach to the topic of liability in international arbitration, a controversial topic that has heretofore not been fully explored in the scholarship. Arbitral institutions have recently emerged as powerful actors with new functions in and outside arbitration processes. The author proposes to shift the debate on liability from arbitrators to the arbitral institutions. The book re-evaluates the orthodox understanding of the status, functions, and responsibility of arbitral institutions and is recommended for arbitration scholars, practitioners, and

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students. It is argued that the current regulations regarding liability are inadequate given both the contractual obligations and the emerging public function of arbitral institutions and that institutional arbitral liability is therefore necessary. The book also links the contemporary functions of arbitral institutions to recent debates regarding legitimacy challenges in international commercial arbitration. Responding to these challenges, a model of institutional contractual liability is proposed that invites arbitral institutions to proactively

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"With the ever increasing number of claims against directors and officers, this book provides a very welcome addition to the bookshelves which hitherto have lacked books on this important area" - Alison Green, Chairman of the Trustees of the BILA Charitable Trust. This book scrutinises the origins and the rationale underlying D&O insurance, and provides answers to the question of protecting directors against the potential liabilities they may face. It provides clear understanding about D&O

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policies wording, exclusions and issues of misrepresentation. The information contained in this new book includes Nature and Legality of D&O Liability Insurance, D&O Exclusions, Directors' and Officers' Liability to Third Parties, Directors' Liability at Civil Law, D&O: Defence Costs Cover and Allocation, Aggregation Principles and D&O Cover and the Reinsurance of D&O Policies.

International Arbitration in the United States is a comprehensive analysis of international arbitration law and practice in the

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United States (U.S.).

Choosing an arbitration seat in the U.S. is a common choice among parties to international commercial agreements or treaties.

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